

# Notice of Allowability

Application No.

10/621,591

Examiner

Minh-Chau T. Pham

Applicant(s)

MIHAYLOV ET AL.

Art Unit

1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 5/12/05.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☒ The drawings filed on 19 December 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
Minh-Chau Pham  
Patent Examiner  
Art Unit: 1724

***Allowable Subject Matter***

Claims 1-7 allowed.

The following is an examiner's statement of reasons for allowance: None of the prior arts discloses an end of service life indicator comprising a housing member constructed of a solid material having a plurality of housing openings extending from the front side to the back side of the housing member wherein each of the housing openings has a sufficient cross-sectional area to allow a fluid medium and particulates to pass, a filter member disposed adjacent to the housing member comprising a porous solid through which fluid medium can pass, a template member disposed adjacent to the filter member comprising a solid material substantially impervious to the fluid medium, wherein the template member has a front side and a back side and a template opening pattern which comprises an opening in the template member extending from the front side to the back side of the template member.

Claim 8 allowed.

The following is an examiner's statement of reasons for allowance: None of the prior arts discloses an end of service life indicator comprising a housing member constructed of a solid material having a plurality of housing openings extending from the front side to the back side of the housing member wherein each of the housing openings has a sufficient cross-sectional area to allow a fluid medium and particulates to pass, a filter member disposed adjacent to the housing member comprising a porous solid through which fluid medium can pass, a template member disposed adjacent to the filter member comprising a solid material substantially impervious to the fluid

medium, wherein the template member has a front side and a back side and a template opening pattern which comprises an opening in the template member extending from the front side to the back side of the template member, a humidifier permanently adhered to a surface of the filter member, a primary filtering system having a primary filter medium, an attachment means attached to the housing member, filter member and template member to the primary filter medium of a primary filtering system, the template opening pattern in the form of alphabetic letters, the housing member constructed of a transparent or translucent material such that the front side of the filter member is visible from the front side of the housing member, and the front side of the filter member having a first color and the first color is darker than a color of the particulate.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh-Chau T. Pham whose telephone number is (571) 272-1163. The examiner can normally be reached on Mon/Tues/Thur/Fri 7:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1724

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**Minh-Chau Pham**  
**Patent Examiner**  
**Art Unit: 1724**  
**July 18, 2005**

**DUANE SMITH**  
**PRIMARY EXAMINER**

*12-8*  
*7-20-05*